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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,714	01/15/2007	Dale McPhee Purcocks	N3401-URQ	9847
23456 7590 07/31/2008 WADDEY & PATTERSON, P.C. 1600 DIVISION STREET, SUITE 500 NASHVILLE, TN 37203				
EXAMINER FRIEDHOFFER, MICHAEL A				
ART UNIT 2832		PAPER NUMBER		
NOTIFICATION DATE 07/31/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/596,714

Applicant(s)

PURCOCKS, DALE MCPHEE

Examiner

Michael A. Friedhofer

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 19-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE-08)
Paper No(s)/Mail Date 10/23/06 & 9/4/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract is too long. It must be no more than 150 words. Correction is required. See MPEP § 608.01(b).

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

It is unclear whether any of these sections exist since there are no heading present. Please insert the appropriate headings within the specification.

Claim Rejections - 35 USC § 112

2. Claims 1-15 and 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 2 replace "the base" with --a base--.

In claim 1, line 8 replace "they" with --the tabs--.

In claim 2, line 2 replace "it" with --the at least a portion--.

In claim 2, line 3 "replace "it" with --the dome member--.

In claim 3, line 2 replace "the base" with --a base--.

In claim 3, line 7 replace "they" with --the clamping means--.

In claim 3, line 11 replace "it" with --the at least a portion--.

In claim 3, line 12 replace "it" with --the dome member--.

In claim 4, line 5 replace "they" with --the tabs--.

In claim 7, line 2 replace "and/or" with --or--.

In claim 8, line 3 replace "the longitudinal" with --a longitudinal--.

In claim 8, line 3 replace "the end" with --an end--.

In claim 10, line 2 prior to "sidewalls" delete --the--.

In claim 14, line 3 replace "the base" with --a base--.

In claim 14, line 9 replace "they" with --the tabs--.

In claim 15, line 8 replace "they" with --the clamping means--.

In claim 15, lines 10-14 delete "from an open configuration... said dome member,". Duplicate of previous lines.

In claim 15, line 16 replace "it" with --the at least a portion--.

In claim 15, line 17 replace "it" with --the dome member--.

In claim 19, line 2 replace "the base" with --a base--.

In claim 19, line 3 prior to "side" delete--"the".

In claim 19, line 4 replace "the intersection" with --an intersection--.

In claim 20, line 2 "the edge" and "said annular groove" have no antecedent basis.

In claim 20, line 3 "said housing" has no antecedent basis.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasui et al in view of Imamura et al.

Yasui et al discloses in the figures a dome member 7 for use in a switch, the dome member being elastically deformable in use and having an annular rib 7b extending from the base. The annular rib and the side walls of the dome member form a generally V-shaped groove at their intersection. The edge of the annular groove of the housing is disposed within the V-shaped groove of the dome member at the apex thereof.

Yasui et al does not disclose the annular rib being thicker than the side walls of the dome.

Imamura et al teaches dome switches in a keyboard in which the side walls 11c of the dome 11 are thinner than the annular rib 11a.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Imamura et al to Yasui et al to form the annular rib portion thicker than the side walls because the thicker rib provides greater stability while the thinner wall provides greater flexibility of the dome for better switch operation.

Allowable Subject Matter

5. Claims 1, 3, 14, and 15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
6. Claims 2 and 4-13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schlegel, Pan et al, Chuang, Cheng, Hoelzle et al, and Snider teach various dome switch structures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 571-272-1992. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael A. Friedhofer
Primary Examiner
Art Unit 2832

/Michael A. Friedhofer/
Primary Examiner, Art Unit 2832